



State of New Jersey

THE PINELANDS COMMISSION

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DONALD T. DiFRANCESCO

Acting Governor

**REPORT ON AN APPLICATION FOR
PUBLIC DEVELOPMENT**

May 18, 2001

Applicant: Bruce Hawkinson
New Jersey Department of Transportation
P.O. Box 600
Trenton, N.J. 08625-0600

Application #: 99-0016.01

Location: Route 9
Bass River Township

FINDINGS OF FACT

This application is for the reconstruction of portions of Route 9 in Bass River Township. The project is located in the Pinelands Village of New Gretna.

The applicant is proposing to replace the Route 9 bridge over the Bass River along a new alignment with wider approach roadways to accommodate standard 12 foot lanes. Although the bridge is located outside of the Pinelands Protection Area, portions of the reconstruction of Route 9 extend into the Pinelands Protection Area. The Garden State Parkway passes over Route 9 within the project area. The portion of the improvements to Route 9 in the Pinelands Area extends from the eastern edge of the Garden State Parkway right-of-way to a point about 1000 feet to the west. The roadway is currently paved to a width of approximately 40 feet. The road consists of two 10 foot lanes and two 10 foot shoulders. The pavement will be slightly realigned and widened to a width varying between 40 and 50 feet. The lanes will be widened by approximately 2 feet and a 6 foot wide sidewalk will be constructed.

The project area has been inspected by a member of the Commission's staff. In addition, the appropriate resource capability maps and data available to the staff have been reviewed.

The project will be located within existing paved and grass areas. Portions of the improvements will be located on or within 300 feet of wetlands. The project will result in the



disturbance of 0.0622 acres of wetlands. The applicant has demonstrated that there is no feasible alternative to the proposed development that does not involve development in wetlands or wetlands buffers or that will result in a less significant adverse impact on wetlands. The proposed development is a modification of an existing roadway. The proposed development will not result in a substantial impairment of the resources of the Pinelands. With the conditions recommended below, all practical measures are being taken to mitigate the impact on the wetlands. The applicant has demonstrated that the need for the intersection improvements overrides the importance of protecting the wetlands. The applicant states that the improvements are necessary to provide safer roadway conditions, manage projected traffic volumes and provide clearances from the piers and abutments of the bridge structure over the Garden State Parkway.

The proposed development will result in minor expansion of paved surfaces over the existing grass roadway shoulders. The applicant has demonstrated that there will be no significant increase in the volume and rate of storm water run-off from the project area after development than occurred prior to the proposed development.

Based on the proposed limits of disturbance and the location of existing development, it was determined that a survey for the presence of threatened or endangered species of plants and wildlife was not required.

The Pinelands Commission's cultural resource inventories did not provide sufficient evidence of a significant historic or prehistoric presence to require a full cultural resource survey.

The Pinelands Commission previously approved an application by the Department of Transportation for the restoration of abandoned Route 167 in Bass River Township (App. No. 00-0682.01P). That application provided for the removal of existing pavement along the 8,000 linear foot roadway (about 4.4 acres).

With the conditions recommended below, the proposed development will be consistent with all the management standards contained in Subchapter 6 of the Plan.

The applicant has provided the requisite public notice. The Pinelands Commission has not received any public comments concerning the application.

CONCLUSION

The proposed roadway reconstruction is a permitted use in a Pinelands Village (N.J.A.C. 7:50- 5.27(a)). If the following conditions are imposed, the proposed development will be consistent with the management standards contained in Subchapter 6 of the Comprehensive Management Plan.

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission approve the proposed development with the following conditions:

1. Except as modified by the below conditions, the proposed development shall adhere to the plans, consisting of sheets 1, 5-7, 12-14, 18-20, 24, 25, 29, 30, 35, 36 and 62-67 of a set of 74 (The remaining sheets are for development located outside of the Pinelands Area) and dated February 15, 2001.
2. Disposal of any construction debris or excess fill in the Pinelands Area may only occur at a licensed facility authorized by the Pinelands Commission.
3. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands.
4. Landscaping shall adhere to the requirements of the Comprehensive Management Plan.
5. Prior to any disturbance in any wetland area, the application shall obtain any authorizations required by the Department of Environmental Protection and/or the U.S. Army Corps of Engineers.

APPEAL

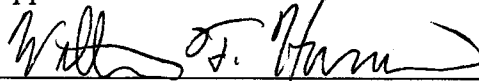
Any interested person may appeal the Executive Director's determination on this application to the Commission. The appeal must be made within 18 days of the date of this letter by giving notice, by Certified mail, of the appeal to the Pinelands Commission. Said notice shall include:

1. the name and address of the person requesting the appeal;
2. the application number;
3. a brief statement of the basis for the appeal; and
4. a certificate of service, (a notarized statement), indicating that service of the notice has been made by Certified mail, on:
 - a. the applicant (unless the applicant is requesting the appeal);
 - b. Secretary, Bass River Township Planning Board;
 - c. Bass River Township Environmental Commission;
 - d. Secretary, Burlington County Planning Board.

Any appeal will be referred to the Office of Administrative Law for a hearing. If no appeal is received within 18 days of this letter, the Pinelands Commission will act on this application at its

meeting on June 7, 2001. At this meeting, the Commission may either approve the determination of the Executive Director or refer the application to the Office of Administrative Law for a Hearing.

Recommended for Approval by:

A handwritten signature in dark ink, appearing to read "William F. Harrison", written over a horizontal line.

William F. Harrison, Esq., Assistant Director

WFH/TD